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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,407	12/08/2004	Dominique Holtzer	979-077	4402
36600 7590 02/05/2009 SOFFER & HAROUN LLP. 317 MADISON AVENUE, SUITE 910 NEW YORK, NY 10017				
EXAMINER				
BEAUCHAINE, MARK J				
ART UNIT		PAPER NUMBER		
3653				
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02/05/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/500,407

Applicant(s)

HOLTZER ET AL.

Examiner

MARK J. BEAUCHAINE

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-7,9,11,12,14-16,18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-7,9,11,12,14-16,18 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-849)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Claims 6 and 11 are objected to because of the following informality:

Claim 6 fails to include a period at the end of the text of said claim as required by M.P.E.P. 608.1(m).

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 5-7, 9, 12, 14-16, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Number US 6,712,688 B2 by McGinty et al ("McGinty") in view of Patent Number 4,836,825 by Smeets et al ("Smeets") in view of Patent Number 5,499,944 by Weston et al ("Weston") in view of Patent Number 4,491,140 by Eglise et al ("Eglise"). McGinty discloses a coin storing device containing selector 4 for distinguishing the value of introduced coins, at least one reserve 19 for recycling certain

coins, including several mobile locations 41, each location being capable of receiving only one coin of any value (see column 4, lines 37-39), bowl for giving back the coins (i.e., “change receptacle” – see column 3, line 66 through column 4, line 1) and safe (i.e., “cash box” – see column 4, lines 18-21).

The coin storing device of McGinty operates such that first and second introduced coins having first and second different values, respectively, are received via input chute 3 and identified via validator 4 (see column 3, lines 34-40). Said device gives back change by transferring one or more coins to the bowl (see column 3, line 62 through column 4, line 1 and column 5, lines 57-63) and stores a coin in the safe instead of the reserve if the reserve is full (see column 4, lines 18-21).

Furthermore, if conditions relating to the value of said first introduced coin and to the predetermined maximum number of coins which have the same value as said coin that are present in the reserve are satisfied, said device collects said first introduced coin into the reserve at any one of said several locations. Furthermore, if conditions relating to the value of the second introduced coin, and to the different predetermined maximum number of coins which have the same value of said coin that are present in the reserve are satisfied, said device collects said coin into the same location into which said first coin was previously stored (see column 4, lines 36-53 and column 8, line 62 through column 9, line 6).

Still further, said device calculates, at a predetermined time interval, the maximum number of coins of each value able to be stored in the reserve (see column 8,

lines 47-60) and stores the location and value of the coins in a memory (see column 7, lines 40-44).

McGinty fails to disclose a pre-receptacle. Smeets teaches a coin storing device containing pre-receptacle 5 for the purpose of temporarily storing identified coins prior to distribution to particular storage locations. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the pre-receptacle of Smeets into the coin storing device of McGinty for the purpose of temporarily storing identified coins prior to distribution to particular storage locations.

McGinty fails to disclose the regulation of the number of coins in said reserve based upon the number of coins of various values stored in said reserve. Weston teaches a coin storage device comprising reserve 22/24/26 that contains coins of different values. The numbers of coins of particular values stored in said reserve are based upon the numbers of population levels of said coins of different values (see Figure 1 and column 2, lines 35-52) for the purpose of regulating the quantity of coins stored in said reserve. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the coin regulating configuration of Weston into the coin storage device of McGinty for the purpose of regulating the quantity of coins within said reserve.

McGinty fails to disclose said maximum number of coins in said reserve being a predetermined value that is equal to the capacity of the reserve. Eglise teaches a coin storing device comprising reserve 22/24/26 that contains a preset number of coins that are equal to the capacity of the reserve (see Figure 1; column 1, line 63 through column

2, line 12; column 2, lines 40-50; column 3, lines 3-31; column 10, lines 25-29; and column 10, line 55 through column 11, line 6) for the purpose of maximizing the quantity of coins contained by said device. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the coin reserve configuration of Eglise into the coin device of McGinty for the purpose of maximizing the quantity of coins contained by said device.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over McGinty in view of Smeets in view of Weston in view of Eglise as applied to claim 6 above, and further in view of Patent Number 5,997,396 by Itako ("Itako"). McGinty/Smeets/Weston/Eglise fails to disclose the act of manually loading the reserve. Itako teaches a coin storage device that is maintained via the act of manually loading reserve 12 (see Abstract, lines 16-20) for the purpose of maintaining the storage device in a fully-charged state. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the manually loading act of Itako into the operation of McGinty/Smeets/Weston/Eglise for the purpose of maintaining the storage device in a fully-charged state.

Response to Arguments

Applicant's arguments with respect to claims 1, 3, 5-7, 9, 11, 12, 14-16, 18 and 19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **MARK J. BEAUCHAINE** whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick H. Mackey/
Supervisory Patent Examiner, Art
Unit 3653

mjb